

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

CYTOLOGIX CORPORATION,

Plaintiff,

v.

VENTANA MEDICAL SYSTEMS, INC.,

Defendant.

Civil Action No. 04-11783 (RWZ)

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**AMENDED NOTICE OF APPEAL TO THE FEDERAL CIRCUIT**

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Notice is hereby given that Plaintiff, CytoLogix Corporation (“CytoLogix”), hereby appeals to the United States Court of Appeals for the Federal Circuit from the order entered in this action on November 28, 2007 denying CytoLogix’s motion to alter judgment, from the judgment entered in this action on October 17, 2007 dismissing the complaint, from the order entered in this action on October 17, 2007 granting Defendant’s motion to dismiss for lack of jurisdiction, from the order entered in this action on June 20, 2006 denying CytoLogix’s motion for summary judgment, and from any interlocutory orders and rulings that have merged into these orders and judgments.

Dated: November 29, 2007

/s/ Jackson Ho

Michael E. Zeliger (BBO # 633654)  
David A. Simons (BBO # 638740)  
Jackson Ho (BBO# 663413)  
KIRKPATRICK & LOCKHART  
PRESTON GATES ELLIS LLP  
State Street Financial Center  
One Lincoln Street  
Boston, MA 02111-2950  
Tel: (617) 261-3100  
*Attorneys for Plaintiff*  
*CytoLogix Corporation*

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing AMENDED NOTICE OF APPEAL was served on this 29th day of November, 2007 to counsel of record by the Court's ECF system.

/s/ Jackson Ho